

Message Text

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ORIGIN EB-07

INFO OCT-01 EUR-12 NEA-10 ISO-00 CAB-02 CIAE-00 COME-00
DODE-00 DOTE-00 INR-07 NSAE-00 CIEP-01 FAA-00 L-03
INRE-00 SSO-00 SS-15 NSCE-00 NSC-05 USIE-00 PRS-01
PA-01 /065 R

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EB - MR. KATZ (SUBS)

----- 098919 /62

O R 222254Z DEC 76

FM SECSTATE WASHDC

TO AMEMBASSY BEIRUT IMMEDIATE

INFO AMEMBASSY ROME

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E.O. 11652: N/A

TAGS: EAIR, LE

SUBJECT: GOL REQUEST FOR EXTENSION OF CIVAIR AGREEMENT

REF: BEIRUT 8906, 8955

1. EMBASSY IS AUTHORIZED TO EXCHANGE NOTES EXTENDING US-LEBANON AIR TRANSPORT AGREEMENT UNTIL JUNE 30,1977 (AS REQUESTED BY GOL), BUT EXTENDING EASTBOUND ROUND-THE-WORLD RIGHTS UNTIL MARCH 31, 1977 ONLY. TEXT OF US FIRST PERSON NOTE IS SET FORTH PARA 2 BELOW. REASON FOR SHORTER EXTENSION OF TMA'S EASTBOUND ROUND-THE-WORLD SERVICE IS TO DRAW

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DISTINCTION BETWEEN IT AND TMA'S TRANSATLANTIC SERVICE.
USG CANNOT CONTINUE CONDONE FURTHER PERIODS OF EXTENSION
OF THIS EASTBOUND SERVICE, WHICH WAS ALLOWED SIX YEARS AGO
ONLY AS A STOP GAP MEASURE. WE ARE PREPARED TO RESUME
NEGOTIATIONS RE CIVAIR UNDERSTANDINGS PRIOR TO MARCH 31.
IN ORDER MAKE THIS CLEAR, EMBASSY SHOULD SEND SECOND NOTE

(PARA 3 BELOW).

2. "... I HAVE THE HONOR TO REFER TO THE NOTE DATED SEPTEMBER 21, 1976 FROM THE EMBASSY OF LEBANON IN WASHINGTON, TO THE DEPARTMENT OF STATE, AND TO THE NOTE DATED SEPTEMBER 1, 1976 FROM THE LEBANESE MINISTRY OF PUBLIC WORKS AND TRANSPORT TO THE EMBASSY OF THE UNITED

STATES OF AMERICA, PROPOSING AN EXTENSION OF THE UNITED STATES-LEBANON AIR TRANSPORT AGREEMENT OF SEPTEMBER 1, 1972, UNTIL JUNE 30, 1977. WITH RESPECT TO THE AIR TRANSPORT AGREEMENT OF SEPTEMBER 1, 1972, THE UNITED STATES GOVERNMENT AGREES TO CONTINUE IT IN EFFECT UNTIL JUNE 30, 1977 SUBJECT TO THE FOLLOWING PROVISIONS: (1) THE LEBANESE ALL-CARGO AIRLINE WILL NOT INCREASE ITS CAPACITY ON ITS ROUTE; (2) THE LEBANESE COMBINATION AIRLINE WILL NOT INTRODUCE AIR SERVICE BETWEEN LEBANON AND THE UNITED STATES; (3) THE LEBANESE AUTHORITIES WILL ACCEPT PROPOSED SCHEDULE CHANGES BY THE UNITED STATES DESIGNATED AIRLINES.

"WITH RESPECT TO THE UNDERSTANDING REACHED BY AN EXCHANGE OF DIPLOMATIC NOTES DATED AUGUST 27, 1970, AS AMENDED, WHICH PROVIDES FOR LEBANON AN EASTBOUND ROUND-THE-WORLD SERVICE FOR CARGO AND MAIL ONLY, THE UNITED STATES GOVERNMENT AGREES TO CONTINUE IN EFFECT THE ROUTE RIGHTS ACCORDED TO THE AUTHORIZED LEBANESE AIRLINE UNTIL MARCH 31, 1977, SUBJECT TO THE PROVISION THAT THE LEBANESE ALL-CARGO AIRLINE WILL NOT INCREASE ITS CAPACITY ON THIS ROUTE.

"IF THE FOREGOING IS ACCEPTABLE TO THE GOVERNMENT OF LIMITED OFFICIAL USE

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LEBANON, I HAVE THE HONOR TO PROPOSE THAT THIS NOTE, TOGETHER WITH YOUR EXCELLENCY'S REPLY TO THAT EFFECT, SHALL BE REGARDED AS CONSTITUTING AN AGREEMENT BETWEEN OUR TWO GOVERNMENTS EFFECTIVE ON THE DATE OF YOUR REPLY."

3. "I REFER TO MY NOTE OF TODAY'S DATE CONCERNING EXTENSION OF AIR TRANSPORT AGREEMENTS AND UNDERSTANDINGS BETWEEN OUR TWO GOVERNMENTS. THE UNITED STATES GOVERNMENT HAS AGREED TO EXTENSIONS OF THESE UNDERSTANDINGS INrecognition of the difficulties which the LEBANESE AUTHORITIES would have in arranging for an immediate resumption of negotiations at this time, and in light of the economic impact which abrupt termination of the understandings would have on TMA. AS THE LEBANESE AUTHORITIES ARE AWARE, HOWEVER, FROM PAST NEGOTIATIONS INCLUDING THOSE HELD IN SEPTEMBER 1975, THE UNITED STATES POSITION IS THAT THERE IS NO BASIS FOR CONTINUING THE EASTBOUND ROUND-THE-WORLD RIGHTS WHICH WERE ACCORDED IN 1970 FOR USE BY TMA FOR A

TEMPORARY PERIOD PENDING THE DETERMINATION OF A FULL
LEBANESE ROUTE SCHEDULE UNDER A REVISED AIR TRANSPORT
AGREEMENT. SUCH A REVISED AGREEMENT WAS CONCLUDED IN 1972.
MOREOVER, THE UNITED STATES MAY WISH TO REVIEW THE EXTENT
OF ITS NEED FOR US ROUTE RIGHTS TO AND BEYOND LEBANON.

"FOR THE FOREGOING REASONS, MY GOVERNMENT BELIEVES THAT
YOUR EXCELLENCY SHOULD BE ADVISED THAT THE UNITED STATES
IS NOT DISPOSED TO CONSIDER FURTHER EXTENSIONS OF THE

RELEVANT AIR TRANSPORT UNDERSTANDINGS BEYOND THE EXTENSION
DATES SET FORTH IN MY SEPARATE NOTE IN THE ABSENCE OF
FURTHER NEGOTIATIONS TO RESOLVE PENDING ISSUES. MY
GOVERNMENT IS PREPARED TO RESUME NEGOTIATIONS BEFORE THE
END OF MARCH 1977 OR AT ANY MUTUALLY AGREED TIME AND
PLACE."

ROBINSON

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Message Attributes

Automatic Decaptoning: X
Capture Date: 01 JAN 1994
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: INSTRUCTIONS, AIR TRANSPORTATION, AVIATION AGREEMENTS
Control Number: n/a
Copy: SINGLE
Draft Date: 22 DEC 1976
Decapton Date: 01 JAN 1960
Decapton Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Authority: vogelfj
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 28 MAY 2004
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1976STATE309411
Document Source: CORE
Document Unique ID: 00
Drafter: AJRIMAS:VLV
Enclosure: n/a
Executive Order: N/A
Errors: N/A
Film Number: D760470-0207
From: STATE
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1976/newtext/t19761219/aaaaaqjp.tel
Line Count: 131
Locator: TEXT ON-LINE, ON MICROFILM
Office: ORIGIN EB
Original Classification: LIMITED OFFICIAL USE
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 3
Previous Channel Indicators: n/a
Previous Classification: LIMITED OFFICIAL USE
Previous Handling Restrictions: n/a
Reference: 76 BEIRUT 8906
Review Action: RELEASED, APPROVED
Review Authority: vogelfj
Review Comment: n/a
Review Content Flags:
Review Date: 12 MAY 2004
Review Event:
Review Exemptions: n/a
Review History: RELEASED <12 MAY 2004 by BoyleJA>; APPROVED <13 SEP 2004 by vogelfj>
Review Markings:

Margaret P. Grafeld
Declassified/Released
US Department of State
EO Systematic Review
04 MAY 2006

Review Media Identifier:
Review Referrals: n/a
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
Secure: OPEN
Status: NATIVE
Subject: GOL REQUEST FOR EXTENSION OF CIVAIR AGREEMENT
TAGS: EAIR, LE
To: BEIRUT
Type: TE
Markings: Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 04 MAY 2006